

WALTON COUNTY UTILITY ENCROACHMENT APPLICATION AND PERMIT

APPLICANT _____

STREET ADDRESS _____ **PHONE** _____

CITY _____ **STATE** _____ **FAX** _____

24 HOUR CONTACT _____ **PHONE** _____

SIGNATURE _____ **DATE** _____

NAME PRINTED _____ **TITLE** _____

Applicant requests permission to construct, operate, and maintain the following described utility installation in the public/private rights-of-way/easements of:

In accordance with the attached approved plan and subject to the rules and regulations and any special requirements set forth herein, all general and special provisions shown on the reverse side shall be observed during the installation, operation, and maintenance of said utility.

Description of utility to be installed: _____

Estimated Start Date _____ Estimated Completion Date _____

Trench outside Pavement _____ long by _____ wide.

Trench in Pavement _____ long by _____ wide.

Number of Bores Under Roadway _____ Total Length of Bores _____

Number of Wood Poles _____ Number of Concrete Poles _____

Number of Steel Poles _____ Utility Permit Number _____

This permit is to be strictly construed and no work other than that shown on the approved plans is authorized except subsequent normal maintenance.

By: _____ Date _____

Director, Walton County Planning & Development Department

UTILITY PERMIT GENERAL PROVISIONS

1. It is expressly stipulated that this permit is a license for permissive use only. The placing of utilities upon public property pursuant to this permit shall not operate to create or vest any property right in holder.
2. This permit shall be void unless work is begun within ninety (90) days of the date of approval. The permit may be revoked at the discretion of Walton County upon thirty (30) days notice to the applicant.
3. The applicant shall comply with Best Management Practices of the Georgia Erosion and Sediment Control Act and Walton County Standards. The applicant shall be especially diligent in Watershed Protection Overlay Districts to protect state waters and the public water supply from sedimentation and pollution. If the applicant fails to do so, Walton County has the authority to revoke this permit.
4. Applicant shall notify Walton County a minimum of 24 hours prior to start of any work under this permit.
5. Prior to the initiation of any work under this permit, the applicant shall determine the location of any and all other utilities within the rights-of-way and shall install, operate, and maintain the permitted utility in such a manner as not to damage or interfere with the operation of any existing utilities.
6. Any utility cut made in the roadbed of any County road shall be covered with an adequate metal plate until such time as the concrete has cured to design compressive stress and promptly asphalted. Jack and bore road crossings under County roads shall be per Walton County Std. 3.23.
7. Whenever necessary for the construction, repair, improvement, maintenance, safe, and effective operation, alteration, or relocation of all or any portion of the roadway or other Walton County facilities, any or all utilities, facilities or appurtenances permitted herein, shall be immediately removed from the right-of-way, reset, or relocated in the right-of-way as required by Walton County at the sole expense of the applicant unless reimbursement is authorized by separate agreement. Should the applicant fail to remove or relocate its utilities upon due notice from Walton County, applicant shall be liable for any extraordinary cost or damage incurred by Walton County as a result thereof.
8. Applicant agrees to indemnify and hold harmless Walton County and all officers, employees, or agents of Walton County or any political subdivision thereof, against any and all claims, demands, actions, causes of action, costs, and expenses of whatsoever nature, which may result from any injury to, or the death of any persons, or from the loss of, or damage to property of any kind or nature, when such injury, death, loss, or damage arises out of the construction, operation, maintenance, repair, removal or relocation of the utilities covered by this permit.
9. Walton County, its officers, employees, or agents shall not be held responsible or liable for injury or damage that may occur to the utilities covered by this permit, or to any connection thereof, by reason of maintenance and construction activities by Walton County if the applicant has been notified of a conflict and given reasonable time to mark or relocate its utility, but has failed to do so. The utility owner shall be responsible for communicating with the Utilities Protection Center to determine notification.
10. If Walton County undertakes to improve the roadway, or other County facility, it shall be the responsibility of the applicant to plan with the County, a schedule which will clearly set forth when the applicant is required to adjust its facilities to accommodate Walton County's improvements.
11. The applicant shall at all times maintain flagmen, signs, lights, barricades, and any other safety devices in accordance with the "Manual on Uniform Traffic Control Devices", and as may be necessary to properly protect traffic upon the roadway and to warn and safeguard the public against injury or damage.
12. The applicant shall not have or gain direct access from any limited access highway or its on or off ramps to any facility except upon specific approval by Walton County or Georgia Department of Transportation.
13. The applicant is responsible for locating the limits of the public right-of-way and for any land surveying necessary to install the permitted utility.
14. No inherent or retained right or privilege of any abutting property owner is affected by this permit nor is Walton County responsible for any claim which may develop between the applicant and any property owner concerning the use of the right-of-way. Applicant is responsible for maintaining reasonable access to any private driveways or roads during construction and restoration of same. Applicant will replace any disturbed area with "in kind" materials unless a satisfactory replacement is approved by the County and abutting property owner.
15. Approval of this permit does not constitute approval of design or construction details for the proposed utility.
16. Use of explosives within County right-of-way is prohibited unless approved separately.
17. Applicant shall be responsible for obtaining approvals or permits that may be required by other City, County, State, or Federal agencies.
18. The provisions of this permit are regulatory and not contractual. No interest or right of an applicant granted by this permit may be transferred.